

**MINUTES OF MEETING
LAKE POWELL RESIDENTIAL GOLF
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Lake Powell Residential Golf Community Development District held a Continued Regular Meeting on November 8, 2021, at 3:00 p.m., Central Time, at the Boat House, 1110 Prospect Promenade, Panama City Beach, Florida 32413.

Present and constituting a quorum were:

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|--|---------------------|
| David Dean | Chair |
| Thomas Balduf | Vice Chair |
| Calvin "Bucky" Starlin (via telephone) | Assistant Secretary |
| David Holt | Assistant Secretary |
| Jerry Robinson | Assistant Secretary |

Also present were:

| | |
|----------------|---|
| Cindy Cerbone | District Manager |
| Jamie Sanchez | Wrathell, Hunt and Associates, LLC (WHA) |
| Mike Burke | District Counsel |
| Nick Caruso | Burke Blue |
| Robert Carroll | District Engineer |
| Bethany Womack | Ecologist/ District Operations Manager |
| Derek Fogel | Florida Fish & Wildlife Conservation Commission (FWC) |
| Diane Allewelt | POA Community Associations Manager |
| Chris Stumpf | Resident/POA |
| Chris Fisher | Resident/POA |
| Eddie Levick | Resident/POA |
| David Fleet | Resident |
| Tom Kerrins | Resident |

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the Continued Meeting to order at 3:09 p.m., Central Time.

Supervisors Dean, Balduf, Holt and Robinson were present, in person. Supervisor Starlin was attending via telephone.

SECOND ORDER OF BUSINESS

Public Comment

There were no public comments.

THIRD ORDER OF BUSINESS

Updates

Ms. Cerbone recalled previous discussions about having a very detailed agenda to remind Staff and the Board of the items for which updates would be given at every meeting.

A. Ponds

Ms. Womack distributed copies and stated that the Department of Environmental Protection (DEP) Inspection Report was received last Friday and the ponds are in compliance, from a regulatory standpoint.

Ms. Cerbone stated Staff voluntarily contacted the DEP because of a concern that the area adjacent to the ponds might not be in compliance. She asked if all ponds in all applicable areas of interest to the DEP were reviewed. Ms. Womack confirmed that all the ponds and littorals were inspected and were in compliance. Mr. Robinson asked about an erosion issue in one of the ponds. Ms. Womack stated that the Salamander Trail pond lacked ground cover but the issue was corrected. The Board and Staff discussed the DEP Inspection Report findings.

B. Aerators

Ms. Womack reported the following:

- The aerators are in place and awaiting power; Gulf Power indicated that power would be delivered to all ponds, except for one, by the end of the week.
- The first quarterly report from Lake Doctors was received on Friday.
- The report notes that most of the ponds are satisfactory and made recommendations for the few ponds that require treatment. A proposal to make the repairs was submitted.
- The proposal was executed and the ponds would be treated next week.
- Lake Doctors would submit a report every quarter.

Ms. Womack responded to questions regarding alligator weed, invasives, spraying the ponds to control weed growth, fertilizers and removing water lily pads in the ponds.

C. Trees Pruning (DEP Feedback)

This item was addressed during item 3E.

D. Lank Bank Erosion

This item was addressed during item 3A.

E. Hole at S.W. Corner of 1st Bridge

Ms. Womack stated the bridge repairs were completed. There was another washout at the wooden bridge on Turtleback Road; it was a steep slope. Staff would investigate how best to repair the bridge.

Regarding tree pruning, Ms. Womack stated, although no feedback was provided in the inspection report, there were no objections to hand pruning vegetation when it starts choking the emergent. Staff identified the boundary of the conservation easement area so that DEP can continue its site inspections.

F. Other

Discussion ensued regarding solutions for controlling the wild boars in the area, fence installation, trapping and engaging a contractor.

FOURTH ORDER OF BUSINESS**Update: Request for Proposals (RFP) for Road Resurfacing**

Mr. Holt provided the following update on events in Developments north of the CDD:

- One month ago, he and Mr. Mike Hansen went out the back gate, past Origins near the Publix construction site, and, according to Mr. Hansen, the Developers will pave Water Sound Parkway, the road around Origins, which will combine Wild Heron and possibly reach the CDD.
- The new roadway would provide faster access to Publix and only certain people would be able to come back into the community because the area is being sodded.
- Currently, only those with golf course memberships would be able to re-enter the community. Mr. Hansen is looking at creating a way to re-enter without taking the highway.

As to what residents need to gain access, Mr. Hansen discussed the following:

- They want to have golf course access for St. Joe golf members to drive their golf carts from Origins into The Club.
- They can use the golf carts for 15 months until asphalt is installed on the roadway.
- Mr. Holt suggested the Board consider paving from Wild Heron Way to the gates with proceeds from a future bond refinancing and coordinate with St. Joe to expand the neighborhood.

Conversation ensued regarding the current roadway condition, the section between Highway 98 to Covington Bridge and cost-savings from the bond refinance. The CDD's options, bidding process, partnering with St. Joe to pave Wild Heron Road, private and public roads, tax exempt bonds, updating the GIS systems and maintenance responsibilities, were discussed.

The Board consensus was to engage with St. Joe regarding repaving a roadway. Staff was directed to commence the RFP process ahead of the March meeting.

▪ **Ponds – Cogongrass report**

This item was an addition to the agenda.

Mr. Rupp introduced Mr. Derek Fogel, a Biologist with the FWC and expert on invasive plant management. He was invited to the meeting to enlighten the Board about cogongrass.

Mr. Fogel reported the following:

- Cogongrass is one of the top ten weeds in the world and has been taking over ecological communities. Links were provided for the Board to conduct further research on cogongrass.
- Cogongrass shades out good vegetation, is a fire hazard and is difficult to destroy.
- The FWC suggests two conservation area treatments per year, once in the fall and once in the spring.
- One of the herbicides used has a soil residual factor that lasts six months.

Mr. Fogel responded to questions regarding inspection of the property, spraying affected areas, mowing, herbicide treatments, alligator weed, tree preservation and replanting affecting areas.

Ms. Cerbone asked if Lake Doctors is taking action to address the issue as described by Mr. Fogel. Ms. Womack replied "Related to the ponds, yes. Related to other areas mentioned, no; however, a treatment plan would be developed for those areas."

FIFTH ORDER OF BUSINESS

Update: Drainage Concerns

A. 22300 Arrowhead Terrace (Bricken)

Mr. Carroll stated excavation was completed. Ms. Womack stated Staff, Mr. Dean, Mr. Holt and Mr. Bricken met at on site and agreed that additional grading and contouring work is needed to get the water to flow better from the box. Ms. Womack would obtain a proposal.

B. 22703 Turtleback Court (Duggan)

C. 22120 Marsh Rabbit Run (Daws)

Mr. Carroll stated surveys are pending for these. Dewberry is preparing quotes and would be engaged to make the repairs.

Discussion ensued regarding the stormwater management system, a flooding issue near the Phillips Pond on Wild Heron Way that needs to be resolved, the swale and the drainage impact on new construction.

SIXTH ORDER OF BUSINESS

Update: ROW Encroachment – 720 Wild Heron Way (Thomas)

Ms. Womack reported the following:

- Work on 720 Wild Heron Way was still in progress.
- She asked for the area to be graded and sodded.
- A fence and landscaping are being installed and the property is looking better.
- A steel grate in the isolated wetland area was observed and she questioned the landowner about it to make sure that there is no drainage associated with the roadway.
- An update would be provided at the next meeting.

SEVENTH ORDER OF BUSINESS

Continued Discussion: Updated Post Orders

Mr. Cerbone stated after several discussions with residents, Board Members, the POA and the County regarding Wild Heron Way being public, Staff placed a hold on developing the Post Orders to make sure that the road is public and they are currently certain that it is.

Mr. Burke reported the following:

- The CDD has some risk if certain changes are not made to the Post Orders.
- In some instances, this item could be handled by having discussions with the individuals administering the Post Orders and not making changes to the written document itself but that is not the case in this instance, as it will have to be a little more explicit.
- The words that are most troubling are the ones that make the contractors stay outside of the gate for the time that the POA allows them to work.
- The changes that will be suggested to the POA could be met with some resistance.

- Mr. Burke recommended authorizing him to make changes to the Post Orders.
 Asked what specific changes would be made, Mr. Burke stated not permitting any contractors to enter the gate prior to 7:00 a.m., and a shorter wait time at the gates.
 Discussion ensued regarding fining violators, streamlining identification checks, fobs, cameras and not denying accessing to the property.

EIGHTH ORDER OF BUSINESS

Consideration of Break-N-Ground, LLC Proposal for Replacement of Bridge Boards on Wild Heron Way (Option A and Option B)

Ms. Womack presented the Break-N-Ground, LLC Proposal for Replacement of Bridge Boards on Wild Heron Way and discussed Option A and Option B.

On MOTION by Mr. Dean and seconded by Mr. Balduf, with all in favor, the Break-N-Ground Option B proposal, in the amount of \$11,325, was approved.

NINTH ORDER OF BUSINESS

Update: Stormwater System – Status of Clean-Out Services and Contractor to Cut Pond Boxes to Control Pond Levels

Ms. Womack reported the following:

- The contractor would be on site in the next week or so.
- She believed the majority of the lines were cleaned and clear.
- A suggestion was made to video all the lines, identify the locations of the problems and present a proposal for the specific areas.
- A video of the culvert systems for the main road would cost \$5,000.
- The majority of the pipes in the ponds were acceptable.
- Another proposal would be obtained from Mr. Mike Churchwell.

TENTH ORDER OF BUSINESS

Update: Stormwater Reporting Requirements

Mr. Carroll reported the following:

- New legislation requires CDDs to prepare and submit a Stormwater Needs Analysis Report, which is due by June 30, 2022 and every five years thereafter.
- The data is on file and Staff would prepare the report.
- A draft would be presented at the April 2022 meeting.

ELEVENTH ORDER OF BUSINESS

Informational Item: McNeil Carroll Engineering, Inc., Work Authorization Indicating Lump Sum Payment for Services Described in Notice

Ms. Cerbone presented the McNeil Carroll Engineering, Inc., Work Authorization.

On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, the McNeil Carroll Engineering, Inc., Work Authorization Indicating Lump Sum Payment for Services Described in Notice, was approved.

TWELFTH ORDER OF BUSINESS

Continued Discussion: Tree Removal Policy

Ms. Cerbone stated it was determined at the last meeting that a tree removal policy was not needed and Staff should review the Landscape Agreement between the CDD and the POA. Ms. Cerbone reviewed the Agreement and submitted her feedback to Ms. Womack and Mr. Carroll. Ms. Womack would determine what next needs to be done, obtain Board approval and transmit it to the POA for their review. Anytime there is a life, health or safety issue caused by a tree, the tree should be removed immediately.

THIRTEENTH ORDER OF BUSINESS

Update: Survey Review – Drainage Cut Design

This item was previously discussed.

FOURTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2021

Ms. Cerbone presented the Unaudited Financial Statements as of September 30, 2021

On MOTION by Mr. Robinson and seconded by Mr. Balduf, with all in favor, the Unaudited Financial Statements as of September 30, 2021, were accepted.

FIFTEENTH ORDER OF BUSINESS**Approval of Minutes**

Ms. Cerbone presented the following meeting minutes:

- A. August 30, 2021 Public Hearings and Regular Meeting**
- B. September 2, 2021 Continued Public Hearings and Regular Meeting**

Mr. Dean would forward his edit to management.

On MOTION by Mr. Balduf and seconded by Mr. Robinson, with all in favor, the August 30, 2021 Public Hearings and Regular Meeting Minutes, as presented, and the September 2, 2021 Continued Public Hearings and Regular Meeting Minutes, as amended, were approved.

SIXTEENTH ORDER OF BUSINESS**Staff Reports**

- A. Ecologist/Operations: *Cypress Environmental of Bay County, LLC***

Ms. Womack stated the annual water quality and sediment testing would be scheduled on Tuesday.

- B. District Counsel: *Burke Blue***

There was nothing further to report.

- C. District Engineer: *McNeil Carroll Engineering, Inc.***

Mr. Carroll stated the drain at the pool was inspected and is at a steady flow.

- D. District Manager: *Wrathell, Hunt and Associates, LLC***

Ms. Cerbone stated that she was contacted by the POA regarding a lease agreement for drop down coverings and asked the Board if it was amenable. The Board was in favor. The POA asked if the CDD would be amenable to constructing an additional bathroom. Staff was directed to obtain quotes.

- **UPCOMING MEETINGS**

- I. **November 8, 2021 at 3:00 P.M. (Central Time) [Continued Meeting]**
- II. **December 6, 2021 at 3:00 P.M. (Central Time) [Regular Meeting]**

○ **QUORUM CHECK**

The next meeting will be held on December 6, 2021 at 3:00 p.m., Central Time.

SEVENTEENTH ORDER OF BUSINESS

Board Member Comments

There were no Board Members comments.

EIGHTEENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

NINETEENTH ORDER OF BUSINESS

Action Item Recap

- Mr. Carroll to obtain bathroom construction costs.
- Bridge work to commence in three to four weeks.
- Wild boar issue to be discussed at the December meeting.
- Second RFP would be prepared by the March meeting.
- Ms. Cerbone to obtain timing of bond refinance for Fiscal Year 2022.
- Ms. Womack to obtain the requirements from the County for road repairs from Highway 98 to Covington.
- Mr. Carroll to provide a drainage update for Daws and Duggan.
- Ms. Womack to present a treatment plan for other areas identified by Mr. Fogel.
- Ms. Womack to present a quote to video the culverts.

TWENTIETH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Mr. Balduf and seconded by Mr. Dean, with all in favor, the meeting adjourned at 1:33 p.m., Central Time.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair